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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Docket Number (Optional)
EP-1020-CIP-CON

In re Application of: William H. Starnes et al.

Application No.: 10/848,802

Filed: May 19, 2004

For: Organic Thiol Metal-Free Stabilizers and Plasticizers for Halogen-Containing Polymers



The owner, The College of William and Mary, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent No. 6,762,231** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record. Reg. No. _____

x [Signature]
Signature

x June 14, 2006
Date

x Jason P. McDevitt
Typed or printed name

x 757-221-1751
Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JFW ✓

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: William H. Starnes et al.

Examiner: P. A. Szekely

Serial No.: 10/848,802

Group Art Unit: 1714

Filed: 05/19/04

Date: June 15, 2006

For: **ORGANIC THIOL METAL-FREE STABILIZERS AND PLASTICIZERS
FOR HALOGEN-CONTAINING POLYMERS**

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §3.73(b)

Sir:

The College of William and Mary is the Assignee of the entire right, title and interest to the above-identified U.S. Patent Application Serial No. 10/848,802, and U.S. Patent Application Serial No. 09/884,306, now U.S. Patent No. 6,862,231, by virtue of Assignments from the inventor(s) William H. Starnes et al., in the respective applications.

As evidence of the College of William and Mary's ownership of the entire right, title and interest of U.S. Patent Application Serial No. 10/848,802, attached hereto is an Assignment (Exhibit A) which was recorded in the U.S. Patent and Trademark Office on June 7, 2006 under Reel 017752, Frame 0979.

As evidence of the College of William and Mary's ownership of the entire right, title and interest of U.S. Patent Application Serial No. 09/884,306 (now U.S. Patent No. 6,862,231), attached hereto is an Assignment (Exhibit B) which was recorded in the U.S. Patent and Trademark Office on June 19, 2001 under Reel 011932, Frame 0169.

The undersigned is authorized to act on behalf of the Assignee.

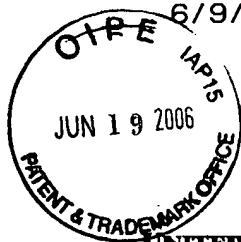
Respectfully submitted,

HUDAK, SHUNK & FARINE CO. L.P.A.

Daniel J. Hudak, Jr.

Registration No. 47,669

DJHjr/js
2020 Front Street, Suite 307
Cuyahoga Falls, OH 44221
330-535-2220
Attorney Docket No.: EP-1020-CIP-CON

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUNE 09, 2006

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700269067A

DANIEL J. HUDAK, JR.
HUDAK SHUNK & FARINE CO. L.P.A.
SUITE 307
2020 FRONT STREET
CUYAHOGA FALLS, OH 44221

EXHIBIT "A"**UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

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RECORDATION DATE: 06/07/2006

REEL/FRAME: 017752/0979
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

STARNES, JR. WILLIAM HERBERT

DOC DATE: 06/19/2001

ASSIGNOR:

DU, BIN

DOC DATE: 06/19/2001

ASSIGNEE:

COLLEGE OF WILLIAM AND MARY, THE
P.O. BOX 8795
WILLIAMSBURG, VIRGINIA 23187-8795

SERIAL NUMBER: 10848802

FILING DATE: 05/19/2004

PATENT NUMBER:

ISSUE DATE:

TITLE: ORGANIC THIOL METAL-FREE STABILIZERS AND PLASTICIZERS FOR HALOGEN-
CONTAINING POLYMERS

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017752/0979 PAGE 2

STEVEN POST, EXAMINER
ASSIGNMENT SERVICES BRANCH
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08/01/2006
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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

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To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

William Herbert Starnes, Jr. and Bin Du

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

The College of William and Mary
P.O. Box 8795
Williamsburg, VA 23187-8795Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other: _____

Execution Dates: June 19, 2001

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s):

10/848,802

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel J. Hudak, Jr.
Hudak Shunk & Farine Co. L.P.A.Internal Address: Suite 307Street Address: 2020 Front StreetCity: Cuyahoga Falls State: OH ZIP: 442216. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41) \$40.00☐ Enclosed☒ Authorized to be charged to deposit account.

8. Deposit account number:

08-3150

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Daniel J. Hudak, Jr.

Name of Person Signing

Registration No. 47,889

Signature

6/7/02
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Washington, D.C. 20231

SEPTEMBER 07, 2001

PTAS



101765184A

DANIEL J. HUDAK, JR.
7 WEST BOWERY STREET
SUITE 808
AKRON, OH 44308-1133

EXHIBIT "B"

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RECORDATION DATE: 06/19/2001

REEL/FRAME: 011932/0169
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

STARNES, JR. WILLIAM HERBERT

DOC DATE: 06/19/2001

ASSIGNOR:

DU, BIN

DOC DATE: 06/19/2001

ASSIGNEE:

COLLEGE OF WILLIAM AND MARY, THE
P.O. BOX 8795
WILLIAMSBURG, VIRGINIA 23187-8795

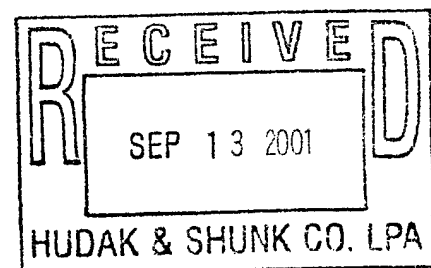
SERIAL NUMBER: 09884306

FILING DATE: 06/19/2001

PATENT NUMBER:

ISSUE DATE:

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ASSIGNMENT DIVISION
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Patent and Trademark Office

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09/884306

10/61/90

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1. Name of conveying party(ies):

William Herbert Starnes, Jr. and Bin Du

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: The College of William and Mary

Internal Address: P. O. Box 8795

Street Address:

City: Williamsburg State: VA ZIP: 23187-8795

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other: _____

Execution Date: June 19, 2001

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: June 19, 2001

A. Patent Application No.(s):

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel J. Hudak, Jr.

Internal Address: Suite 808

Street Address: 7 West Bowery Street

City: Akron State: OH ZIP: 44308-1133

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

- ☒ Enclosed
☐ Authorized to be charged to deposit account.

8. Deposit account number:

08-3150

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Daniel J. Hudak, Jr.

Name of Person Signing

Daniel J. Hudak Jr.
Signature

6/19/01

Date

Total number of pages including cover sheet, attachments, and documents: 3 Atty Docket: EP 1020-CIP

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